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## State of Wisconsin

Department of Health and Family Services

DIVISION OF PUBLIC HEALTH

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## INFORMATION NOTICE

**TO:** Department of Health and Family Services  
Radioactive Material Portable Gauge and XRF Licensees

**FROM:** Department of Health and Family Services  
Radioactive Materials Program

**DATE:** December 12, 2005

**SUBJECT:** Information Notice concerning changing location of use or storage

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### PURPOSE:

The Department of Health and Family Services, Radioactive Materials Program is issuing this Information Notice to make licensees aware of a regulatory requirement under Chapter HFS 157 'Radiation Protection' concerning amending your radioactive material license before you change locations where you use or store radioactive material.

HFS 157.13(10)c - 'A person licensed by the department under this section shall confine use and possession of the material licensed to the locations and purposes authorized in the license.'

### DESCRIPTION OF CIRCUMSTANCES

The Department has become aware of several licensees who have moved to a different location without amending their radioactive material license.

### DISCUSSION

In order to meet the intent of HFS 157.13(10)c each licensee, before moving to a new location, **must amend** their radioactive material license.

It has come to the Department's attention that in the past, the U.S. Nuclear Regulatory Commission would allow portable gauge users to first move and then inform the NRC of the move at a later time. The Department **does not** allow this.

In addition, all locations where radioactive material could be stored greater than 180 days must be listed on your license. If you decide to move your storage location you must **amend your license** prior to using a new storage location.

Failure to amend your radioactive material license before moving could result in a Severity Level 2 violation (See Appendix R of Chapter HFS 157 'Radiation Protection') and may be considered for escalated enforcement. A severity level 2 violation as addressed in HFS 157.90(2) could lead to an assessment of forfeiture in the amount of \$3,750 per day of the violation.

This Information Notice requires neither specific action nor written response. If you have any questions about the information in this notice, please contact Cheryl Rogers at (608) 266-8135 or email at [rogerck@dhfs.state.wi.us](mailto:rogerck@dhfs.state.wi.us) or contact Jason Hunt at (608) 266-9443 or email at [huntjh@dhfs.state.wi.us](mailto:huntjh@dhfs.state.wi.us).